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Donald F. McGahn II General Counsel

MUR 5104 September 26, 2000

Lawrence M. Noble, Esq. General Counsel Federal Election Commission 999 E Street, NW Washington, DC 20463

Re: Complaint Against Tim Roemer and Roemer for Congress

Dear Mr. Noble:

The National Republican Congressional Committee, by and through its General Counsel, hereby brings this complaint pursuant to 2 U.S.C. § 437g(a)(1) against Tim Roemer and Roemer for Congress. The National Republican Congressional Committee is located at 310 First Street, SE, Washington, D.C.

I. VIOLATIONS

Tim Roemer is the Democrat Congressman from the third district of Indiana, and is currently seeking reelection. Roemer has blurred the distinction between official activity, campaign activity and personal activity. Mixing official, campaign and personal activity is unlawful, and requires Commission investigation and action.

### A. Use of Official Resources During Campaign Events

As the attached recent photographs demonstrate, Roemer has used official resources to subsidize his campaign. At first glance, Photos A & B appear to depict Congressman Roemer participating in a local parade in his official capacity. But closer inspection per Photo C reveals that the woman sitting in the back seat is wearing a T-shirt that appears to bear the distinctive red, white and blue Roemer for Congress campaign logo, shown in Photo D. Photos E & F show the license plate on the vehicle – the front plate states U.S. Representative, and the rear plate is "3" (meaning Indiana's third district) – in other words, an official taxpayer license plate.

320 First Street, S.E. Washington, D.C. 20003 (202)479-7069 www.nrcc.org FEC MAIL ROOM FEDE

To the extent that one may think Photos A & B only raise an inference of using official resources to subsidize his campaign, Photo G establishes improper conduct beyond a shadow of a doubt. That photo depicts Roemer working the crowd at the same parade. Standing within the confines of the parade route is a Roemer staffer holding a Roemer for Congress sign. Thus, the true purpose of the event is clearly campaign. Yet Roemer utilized official resources in conjunction with his campaigning. Such impropriety warrants Commission investigation and action.

### B. Use of Official Office Address on Personal Drivers License

Perhaps more indicative of Roemer's mixing of resources is found on his driving record. That record lists Roemer's address as 217 N. Main Street, South Bend, Indiana – the address listed in the local phone book (attached hereto) for his official headquarters! This shows that the scenes depicted in the attached photos are not an isolated incident. He has also listed a variety of addresses on other documents.

All this raises a question as to possible personal use of campaign funds. The Federal Election Campaign Act prohibits the use of campaign funds to pay for personal expenses. 2 U.S.C. § 439a. Mortgage, rent and utility payments are per se personal use. 11 C.F.R. § 113.1(g)(1)(i). Given that the attached photos indicate that Roemer will not hesitate to mix campaign and official activity, there is a reason to believe that he may be doing the same with his official office. Thus, using his "official" office as a de facto home address may in reality be the use of campaign funds for personnel use. Such a serious violation requires Commission investigation and action.

### II. CONCLUSION

For the foregoing reasons, the National Republican Congressional Committee respectfully requests that the Federal Election Commission find that there is a reason to believe that a violation of the law has occurred, and investigate the matter promptly.

Respectfully submitted,

Donald F. McGahn II

District of Columbia

Signed and sworn to before me this day of September, 2000

M.D. ACTON

Notary Public, District of Culumbia

My Commission Express July 14, 2004

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Editor: Jernifer Clark (219) 235-8551; jclark@sbtinfo.com

## MISHAWAKA EDITION

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Tribune Political Writer By JACK COLWELL

SOUTH BEND—Family values, oft cited

Republican challenger Chris Chocola of Bristol criticized his Democratic opponent, U.S. Rep. Tim Roemer of South Bend, for Congressional District race. an unusual way Wednesday in Indiana's 8rd by political candidates, became an issue in

spending too much time in Washington, not

Thursday and then fly home as quickly as possible at the close of official business. Roemer, whose wife and four young children live with him in the Washington area while Congress is in session, said the work enough in the district.

If elected, Chocola said, his wife and two young children would continue to live in the district. He would be in Washington for the votes that often occur Tuesday through

of Congress isn't that simple. And he said he wants to be able to be home with his famand then get back to the district as frequently as possible on weekends and during ily every night when he's in Washington

"It's the most important thing in the world for me." "I love my family dearly," Roemer said

And in terms of family values, as he sees it in his own case, having the family in

have families back in the district, and he wouldn't criticize that choice. said. He said some members of Congress do Washington works best for them, Roemer 'EME

and to help keep in touch with the district.
Chocola said he wasn't questioning he sees it, he would prefer to have his two children, ages 10 and 12, continue to live and attend school back in the district, with their dad back as often as possible for their sake Chocola said in terms of family values, as wasn't questioning はなればぬ

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HOME OWN

Generations enjoy union picnic

Page D7

South Bend Tribl

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ton, not of Congress isn't that simple. And he said he wants to be able to be home with his family every night when he's in Washington and then get back to the district as frequently as possible on weekends and during recesses

"I love my family dearly," Roemer said. "It's the most important thing in the world

And in terms of family values, as he sees it in his own case, having the family in

Washington works best for them, Roemer said. He said some members of Congress do have families back in the district, and he wouldn't criticize that choice.

Chocola said in terms of family values, as he sees it, he would prefer to have his two children, ages 10 and 12, continue to live and attend school back in the district, with their dad back as often as possible for their sake and to help keep in touch with the district.
Chocola said he wasn't questioning

whether Roemer was a good father but rather was suggesting that having his family in Washington was a decision based on Roemer growing enamored with Washington and thus losing contact with the district.

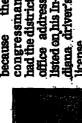
The Republican challenger made his contention at a news conference conducted in front of Roemer's district headquarters, at 217 N. Main St. in South Bend.

See CHOCOLA/Page D2

SB Tribune

### FROM PAGE D1

In effect, said Chocola, he was visiting Roemer's "home" address



isted on his Ir liana driver icense

Use of the district office improper and a address is both sign that Roe mer has no rea

home, address

Roemer lists his home address on Weber Square in South Bend. That roter registration records as 918 is the home of Charles Roemer, his in the district. Chocola said.

said his uncle's house has more in the district. He said his family owned a condominium in South child made it too small for them. He now four in number, ranging in age from 7 years to 2 months, can stay Bend until the arrival of a third The congressman said his uncle's house is where he stays while back room, and his wife and the children there or with Roemer's parents

paperwork Wednesday to change the address, if that is needed. ness," address could be used on a driver's license. He said he asked for Roemer said he thought a "busiwhen in the district



Tribune Photo/JOE RAYMOND

gion and too little time in the ublican challenger Chris Chocola nt of the South Bend office of his ks to the media Wednesday in

ax in the district.

that there is no requirement that a Roemer said he pays a lot of other person running for office must own paxes back in Indiana—income sales and auto excise. And he noted property in the district.

Chocola said three Republican congressmen from Indiana — Mark

no property and pays no property

firmed, that the congressman owns

Chocola said, and Roemer con-

District, and John Hostettler, 8th main in the state while they are Souder: 4th District, Steve Buyer, 5th District—all have families that reserving in Washington.

and Evan Bayh, were among those choosing to have families with them Roemer said other Indiana law makers, such as Sens. Dick Luga in Washineton.

A spokesman for U.S. Ren. Fred oton, the Republican who represents Michigan's 6th District, said ing the school year with the family returning to their house in St. dren with him in Washington durthe congressman has his young chil Joseph during the summer

Chocola said that the House was Roemer said the estimate of time that Roemer "spent 40 some days ac-mally here" in the district in the district was maccurate and In session just 189 days in 1999. but that he remains in touch with con

sions that often make it impossible or unwise to plan on being there on ington also was inaccurate. He cited committee meetings and night ses He said Chocola's estimate o time needed to serve well in Wash ly three days out of the week. 10 years.

the Chocola news conference. He opponent's mud" in responding to said the Chocola complaint was in line with the negative tone of TV spots Chocola is running to criticize The congressman referred to "my

Staff writer Jack Colwell: Joolwell@sbtinfo.com (219) 235-6353

### OCAL/REGION

## ive in distric Chocola: Roemer doesn't

Roemer: Address listed on driver's license an error

By Alyesa Emory Truth Staff

SOUTH BEND — Chris Chocols stood in front of Congressman Tim Roemer's office Wednesday morning, claiming the incumbent Democrat doesn't really live in the Third Dis-

Chocola hoped his comments on Roemer's residency would make people question Roemer's character. "Maybe he's not being accurate about other issues." he said.

Dection

serve a response," said campaign worker Jed D'Elrole said.

Saud.
Chocola mainly attacked
Roemer's decision to house his
family near Washington and
said that Roemer doesn't own
property or pay property taxes
in the district.

Chocola piedged he would fly back to the district each weekend if elected.

"I won't leave Indiana benind." he said.

D'Ercole said, "Tim is busy helping people. He's working today to repeal the marriage penalty. He's working to pro-

publican challenger's claims are "just silly and barely de-

Roemer's office said the Re-



TDA ROEMER

CHRIS

vide prescription drugs for older persons, and he's continuing his fight to holdly reform education. Unlike his opponent, The Roemer continues to focus on issues important to working

families."
Chocola produced several documents relating to Roemer's residences. These in-

clude the congressman's official driving record, which lists his address as his campaign office; his voter registration which lists his address as a South Bend house and Notre Dame alumni information listing a home address in Great Holls va

D'Ercole sald an oversight was made in Roemer's hearse application, and that paperwork has been filled to list his local residence on his driver's license.

When asked if his comments on Roemer's residence was negative campaigning, Chocola said, There's something wrong with the process when the person who talks about the facts is nerelized.

is perceived as negative.
"It's not megative at all by pointing out facts that are similar facts."

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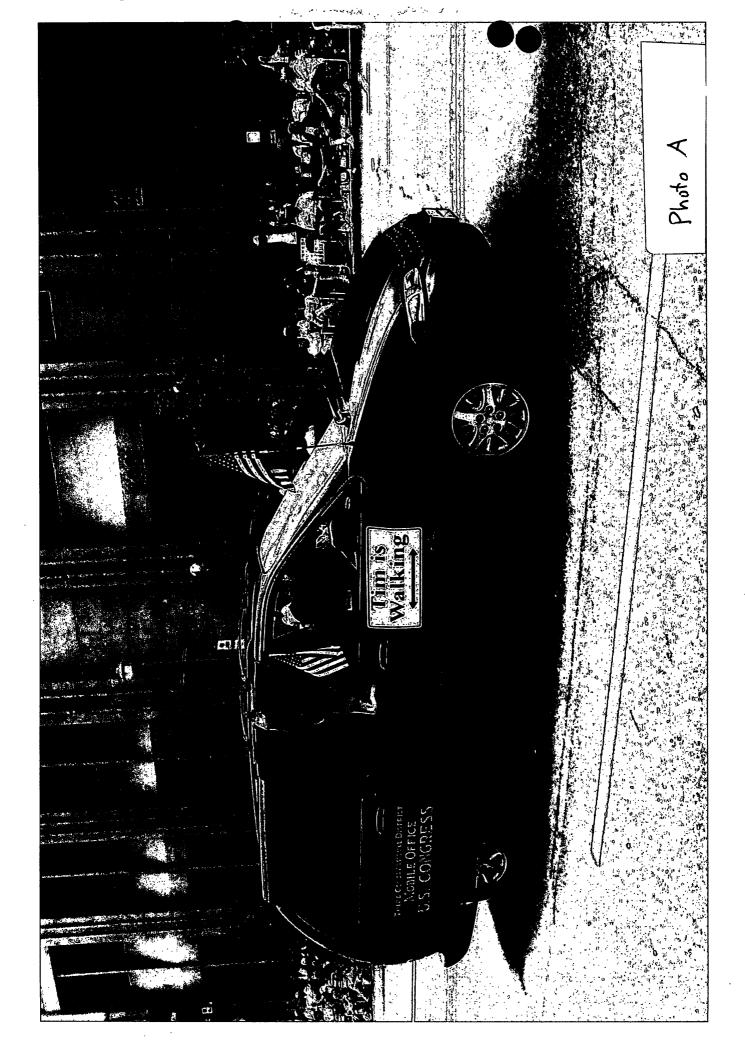
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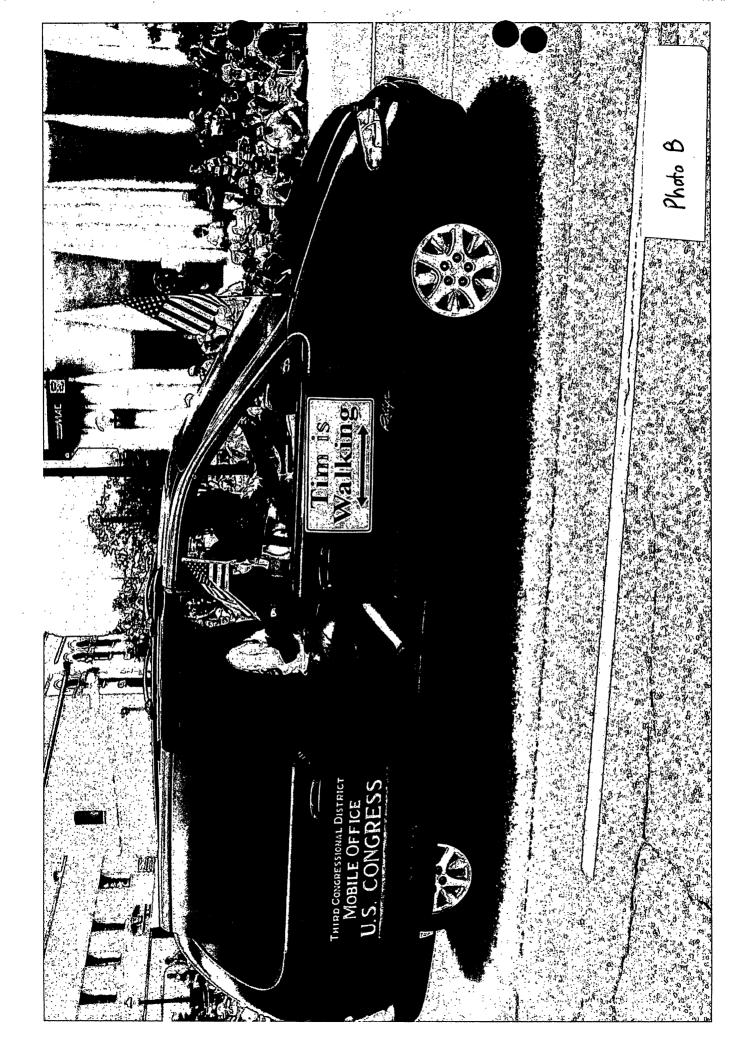
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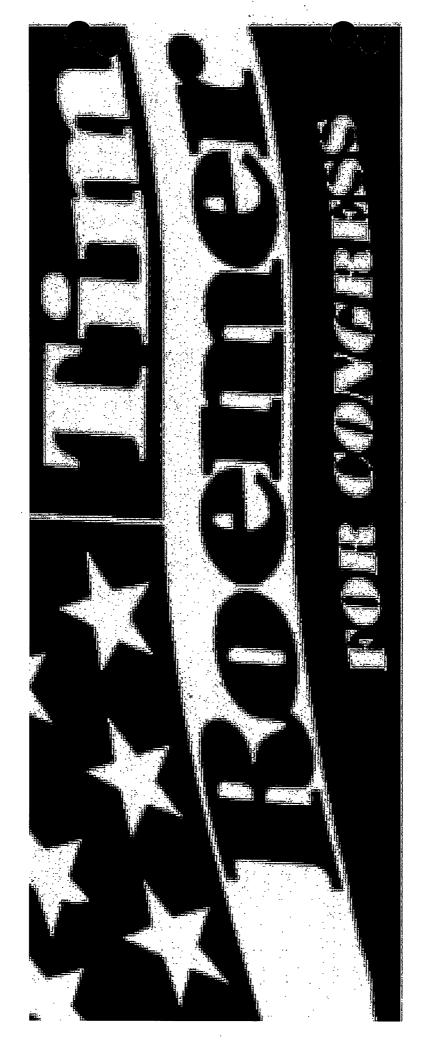


Photo D

